

# **Testimony of State Representative Steve Wieckert**

## **Senate Bill 488 – Physical Therapists Examining Board**

*Senate Committee on Health, Human Services,  
Insurance, and Job Creation  
Room 411 South – March 10, 2008*

Good morning Chairman Erpenbach and committee members. I am pleased to come before you today to discuss Senate Bill 488, the Physical Therapists Examining Board.

Currently 4,965 physical therapists are licensed to practice in Wisconsin. This field has seen significant growth over the past number of years and is a big reason why Wisconsin residents receive exemplary health care. As it stands, physical therapists are credentialed under the Physical Therapists Affiliated Credentialing Board which is attached to the Medical Examining Board.

SB 488, which I am in support of here today, will remove the Physical Therapists Affiliated Credentialing Board from underneath the Medical Examining Board and create the "Physical Therapy Examining Board", which independent with duties and responsibilities it had under the Medical Examining Board, only it will now report directly to the Wisconsin Department of Regulation & Licensing.

It is important to note, there is no taxpayer cost associated with this proposal as operating costs of the board are paid through the licensing fees assessed to the physical therapists.

When the Physical Therapists Affiliated Credentialing Board was created over 20 years ago, it was appropriate for them due to their size, and a required doctor's referral, to be under the Medical Examining Board. However as the profession and grown and evolved, physical therapists currently have direct access to treat patients without a doctor's referral in all cases except Medicaid/Medicare patients.

By creating the Physical Therapy Examining Board, we are merely updating the regulation & licensing of physical therapists in order to reflect the current reality of their profession. It is important to note, while currently under the Medical Examining Board, the Physical Therapists Affiliated Credentialing Board meets only 3 times a year. Under the new proposal, the Physical Therapy Examining

Board will meet 6 times a year. This is important as it will allow the board to keep up with the ever increasing number of physical therapists and assistants and guarantee proper regulation and discipline while maintaining their high standard of quality care.

The creation of the Physical Therapists Examining Board does not give any new or remove any rule-making authority currently held by the Physical Therapists Affiliated Credentialing Board. With this change, the Physical Therapists Examining Board will have more autonomy in making decisions relevant to Wisconsin's physical therapists. The only change that would occur is that instead of requiring the Medical Examining Board to comment on and rules proposed by the Physical Therapists Affiliated Credentialing Board it would have the option to do so. The Medical Examining Board as with all boards within the Department of Regulation and Licensing will still hold the right to express any concerns or proposed rules.

Finally to summarize, the reasons to support SB 488 are:

1. Greater autonomy for the board in making decisions
2. Increased availability of the board to convene
3. No taxpayer cost associated with the move
4. Increased accountability and oversight
5. Duties and responsibilities of the Board remain unchanged
6. The Medical Examining Board and other boards will still be allow to comment on proposed rules

Currently, the Medical Examining Board, Wisconsin Medical Society, Chiropractic Examining Board and the Wisconsin Chiropractic Association have no objection to this legislation and the Wisconsin Physical Therapy Association enthusiastically supports this legislation and I applaud them for seeking this high level of accountability for the services they provide Wisconsin citizens.

Thank you. At this time I would be happy to answer any questions the committee may have.

Otto A. Cordero P.T.  
Member, PTACB  
Testimony on SB 488

Good morning Senator Erpenbach and members of the Committee on Health, Human Services, Insurance and Job Creation. My name is Otto Cordero and I reside in the Mazomanie Township of Dane County. I am a member of the Physical Therapists Affiliated Credentialing Board and in their behalf am speaking in support of SB 488.

This bill would, if enacted, provide for the regulation of physical therapy practitioners through a Physical Therapy Board. Currently, regulation of physical therapy practice is conducted through an Affiliated Credentialing Board, which is defined under Chapter 15.01 as a body that is "attached to an examining board to regulate a profession that does not practice independently of the profession regulated by the examining board."

The practice of physical therapy is multifaceted. The licensing law provides for practice to occur upon referral of a physician as it also allows referrals from dentists, chiropractors, podiatrist and nurse practitioners. The statutes also provide for practice without referrals. With or without a referral, physical therapists are required to take full responsibility of the services they provide and act independently as they provide services that fall within the scope of practice.

The education of physical therapists has evolved to where physical therapy educational programs in Wisconsin are now educating therapists at the doctoral level. Therapists are being trained to function as independent practitioners in an interdependent and collaborative health care delivery system. The current manner of practice does not fit the definition that warrants an affiliated board.

Licensing boards are created to regulate practice through credentialing and enforcement. The Physical Therapists Credentialing Board (PTACB) performs these functions without any involvement from the Medical Board. There are provisions that provide for the Medical Board and the PTACB to meet and discuss "matters of joint interest". In the over six (6) years that I have been a member of the PTACB there has not been one matter of joint interest that has needed to be discussed.

For the above reasons the PTACB unanimously support this bill and ask for your favorable consideration.



## WISCONSIN ATHLETIC TRAINERS' ASSOCIATION

To: Members of the Senate Health and Human Services Committee

Fr: Joe Greene, President, Wisconsin Athletic Trainers Association Inc.

Date: March 10, 2008

Re: Opposition to SB 488

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Thank you for the opportunity to appear before you today. My name is Joe Greene and I am the Supervisor of Athletic Training Services for the University of Wisconsin Hospital. I am also a Licensed Athletic Trainer and current President of the Wisconsin Athletic Trainers Association (WATA). I am here today to represent our organization today in opposition to SB 488. This organization currently represents 1086 athletic trainers and athletic training students in the State of Wisconsin.

In order to understand why we are opposed to this bill, I first want to insure that you understand what an athletic trainer is and what we are not. We are not personal trainers as in the case of those individuals involved in the Barry Bonds and Roger Clemens cases. We are versatile medical providers that are trained to perform a broad spectrum of medical services that are in need by the active population in the State of Wisconsin. Some athletic trainers specialize in the provision of rehabilitation services. Our scope of practice certainly overlaps that of physical therapists in this area. An athletic trainer also is an allied healthcare provider recognized by the American Medical Association in 1990, and athletic trainers have been licensed in the State of Wisconsin since 1999. Importantly, over 40% of athletic trainers now work within hospitals and clinics.

Licensed athletic trainers work in three typical environments in the State of Wisconsin:

- 1) The Professional and Collegiate Setting
- 2) The Hospital and Clinic Setting
  - Responsibilities : Rehabilitation, Orthopedic Clinic, Outreach
- 3) The Industrial Setting
  - Large employers include Quad Graphics, Alliance Laundry, and Land's End

The healthcare system is spared millions of dollars annually due to services provided by the athletic trainer as they manage musculoskeletal injuries in-house for their employees and athletes, whether in industry or in an athletic department.

the spectrum of rehabilitation services. This includes the provision of current services, but also includes the provision of many new services which are currently reserved only for physicians. This would certainly have an impact on the cost of healthcare. If this is their reason, we have no issue with this, but it is healthy for all to be transparent about it.

The athletic training profession has been lobbied against at both the federal and state level for the past 15 years as our profession has grown. The WATA respects the WPTA position on the growth of their profession. Athletic trainers simply want to be a present and future choice of physicians and patients for the provision of rehabilitation services when working under referral and within our established scope of practice.

One of the primary reasons I ran for President of our Association was to work to improve relations between the WPTA and the WATA at the organization level. Our membership wants this and I want this. We have nothing but positive relationships with other healthcare professionals. I believe we have made some positive inroads. However, I want us to continue to work toward a compromise on this bill with the WPTA.

The potential passage of this bill has already forced us to prepare new legislation which modifies our practice act. We simply want the WPTA to come to the table with us in a meaningful way. Our association is not interested in influencing the way physical therapists choose to practice in the future. We have never opposed one of their bills before at the state level, but we are extremely interested when there seems to be a consistent, systematic approach to their legislative agenda that can negatively impact multiple professions and their ability to practice consistent with our scope of education and training. This is also not a unilateral concern between athletic trainers and physical therapists. There is current legislation nationally that has an intent to preserve access for patients to rehabilitation services provided by other professionals beyond PT's, OT's, and Speech Therapists. I have attached the list of coalition members in support of this legislation.

In closing, I wish to express my appreciation for your willingness to listen to and critically examine the opinions brought forth by myself and my fellow athletic trainers on this important issue to us. We desire to work with physical therapists in a productive way both at the organization and patient care level. The WATA sincerely appreciates your time, attention, and consideration of our concerns.

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**Connecticut State Medical Society (CSMS)**

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**Council on Professional Standards for Kinesiotherapy (COPS-KT)**

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**Lymphedema Stakeholders**

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[Press conference handout](#)  
[CMS Summary](#)

**Medical Fitness Association (MFA)**

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**Wisconsin Physical Therapy Association**  
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Dear Representative Wieckert;

The Wisconsin Physical Therapy Association wishes to express its support for establishment of a physical therapy examining board within the Department of Regulation & Licensing. The physical therapy profession has evolved into a stand alone profession since it was first placed under the affiliation of the medical examining board. Physical therapists in the state now have direct access to treat non-Medicaid & Medicare patients without a doctor's referral, and our profession is transitioning into a doctorate level degree. Keeping in line with the transition and development of the profession we feel it is time to transition our regulation & licensing board into an independent body.

You have our full support in introducing legislation that would update the current physical therapy affiliated board into a physical therapy examining board. We appreciate your recognition that this legislation is necessary and your desire to author this legislation.

Thank you,

Rob Worth  
President  
Wisconsin Physical Therapy Association

